

REMARKS

In the non-final Office Action of August 24, 2004, the Examiner rejected Claims 2-5 and 7-13 under 35 U.S.C. § 103(a), as being unpatentable over Tzidon, et al (U.S. Patent No. 5,737,031), in view of Mellow (U.S. Patent No. 3,691,676).

Applicant has cancelled claims 2-5 and 7-13, and added new claims 14 and 15. New claim 14 combines the limitations set forth in cancelled claims 12, 4 and 5, and new claim 15 combines the limitations set forth in cancelled claims 13, 10, and 11.

The Examiner rejected cancelled claims 4 and 5, now part of new claim 14, and claims 10 and 11, now part of new claim 14, based on column 5, lines 1-44 of Tzidon, et al. This section of Tzidon deals with “foreground object location” and, in particular, describes a method which provides the location to a foreground object in the 3-D virtual world. The foreground object location is determined by a computer program which calculates the volumetric image of the foreground object based on three images from three different cameras using the cross-section of overlapping images. Once the volumetric shape is determined, a location of the object on the stage can be obtained.

The limitations of cancelled claims 4 and 5, now part of claim 14, as well as cancelled claims 10 and 11, now part of claim 15, have nothing to do with calculating the volumetric image of an object to determine its location. Rather, new claims 14 and 15 describe how each of the composited images are integrated from a separate module so that each composited image appears within an allocated portion of a given image frame. The allocated portion of the image frame can then be adjusted relative to one another to change the perspective of one image relative to another. This allows interference-free interaction between two or more images, or two or more individual puppets, which is the essence of the invention as set forth in the Summary of the Invention at pages 8-10 of the specification.

Applicant respectfully submits that the aforementioned portion of Tzidon, nor any other portion of Tzidon, teaches or even suggests attaining interference-free

interaction between two or more puppets, or two or more puppet images, in order to provide enhancement of realistic action images of a puppetry video/film production. Accordingly, applicant submits that new claims 14 and 15, containing the limitations of claims 4, 5, 10, and 11, are clearly patentable over Tzidon, et al.

The Examiner also relied on the patent to Mellow in the rejection under 35 U.S.C. § 103. Mellow is directed to a two-dimensional character defined by a fixed outline applied to a flat board having a plurality of moveable character features affixed to the flat board. The invention provides an animated puppet for two dimensional viewing which is relatively easy to operate, and which can be employed for making animated cartoons. The Examiner apparently relied on this reference to show that Mellow does talk about preventing shadows and that some portions of the character are painted black. Applicant submits that the Mellow reference is far removed from Applicant's invention, as set forth in new claims 14 and 15, and does not show or suggest the limitations set forth in those claims.

Accordingly, it is submitted that claims 14 and 15, the remaining claims in the application, are distinguishable over Tzidon, et al, and Mellow, either alone or in combination, and passage to issue of claims 14 and 14 are respectfully requested.

Dated: May 2, 2005

Respectfully submitted,

By   
Keith D. Nowak

Registration No.: 27,367  
DICKSTEIN SHAPIRO MORIN &  
OSHINSKY LLP  
1177 Avenue of the Americas  
41st Floor  
New York, New York 10036-2714  
(212) 835-1400  
Attorney for Applicant